

# Wetlands Applications Decision Report

Decisions Taken  
10/30/2017 to 11/05/2017

Approved  
11/8/17  
MAT

## DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or [atappeals@des.nh.gov](mailto:atappeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MAJOR IMPACT PROJECT**

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**2016-00318**

**BRENTWOOD, TOWN OF**

**BRENTWOOD Unnamed Wetland**

**Requested Action:**

Agent requests to amend permit to reflect new road alignment and impacts.

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**Conservation Commission/Staff Comments:**

8-4-16 - No adverse effect per DHR.

**APPROVE AMENDMENT**

Dredge and fill a total of 6,338 square feet in scrub-shrub & emergent wetlands containing a perennial stream (Tier 3) for work associated with replacing an undersized 48 inch culvert with a 10 foot span bridge and the replacement of two (2) undersized 36 inch culverts with a 12 foot span bridge on the north & south tributaries to Dudley Brook respectively to abate flooding conditions.

**With Conditions:**

1. All work shall be in accordance with plans by DuBois & King, Inc. dated Feb 2016, as received by the NH Department of Environmental Services (DES) on September 7, 2017.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
7. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
9. Work within the perennial tributaries to Dudley Brook, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
11. The temporary cofferdams shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
12. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued in writing by DES in consultation with NH Fish & Game.
13. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other

times of the year.

14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

15. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

18. Any fill used shall be clean sand, gravel, rock, or other suitable material.

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

20. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap.

21. Only native plant species shall be used to revegetate the riverbank.

22. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

23. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

24. The channel at the culvert inlets and outlets /The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.

25. Proper headwalls shall be constructed within seven days of culvert installation.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine/riverine resource, as identified under RSA 482-A:1.

6. The Town of Brentwood Board of Selectmen voted to exempt the prime wetlands designation for this project as there will be no adverse impact on the wetlands associated with this project.

7. The request for Alternative Design per Env-Wt 904.09 is approved with the finding that the larger spans of the new bridges are greater than required for hydraulic considerations and remove the constrictions of the existing structures which impede high water flows causing flooding conditions.

8. This project as designed and permitted meets the criteria and requirements specified in Env-Wt 904.01 and Env-Wt 904.05 to the maximum extent practicable.

9. The agent submitted a request to amend the permit as the Town of Brentwood voted not to approve the roadway realignment and replace the dilapidated culvert in its current location.

2016-02449

#### PEASE DEVELOPMENT AUTHORITY

##### PORTSMOUTH Unnamed Wetland

#### Requested Action:

Deny permit request to fill approximately 55,555 square feet of wetland to construct an expansion of an an existing pharmaceutical and biologic facility.

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#### DENY PERMIT-INSUFFICIENT & UNTIMELY RESP

Deny permit request to fill approximately 55,555 square feet of wetland to construct an expansion of an an existing pharmaceutical and biologic facility.

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With Findings:

1. A request for additional information dated November 17, 2016, addressed to the applicant or agent of record, clearly identified the requirement that the applicant submit additional information to NHDES within 60 days of the request.
2. On January 16, 2017, the applicant requested a time extension to August 1, 2017 to allow additional time to respond to the NHDES request for additional information. NHDES granted the time extension.
3. Pursuant to RSA 482-A:3, XIV(a) (2), if the requested additional information is not received by NHDES within 60 days of the request or granted time extension, NHDES shall deny the application.
4. NHDES did not receive the requested additional information within 60 days or within the granted time extension and therefore the application has been denied.

2017-02065

NH DEPT OF TRANSPORTATION

WESTMORELAND MILL BROOK

Requested Action:

Protect the southerly abutment using rip rap and stabilize the bank by constructing five bendway weirs to direct the flow toward the thalweg impacting 14,719 sq. ft. (12,589 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project 27287-6

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Inspection Date: 07/08/2013 by GINO E INFASCELLI

APPROVE PERMIT

Protect the southerly abutment using rip rap and stabilize the bank by constructing five bendway weirs to direct the flow toward the thalweg impacting 14,719 sq. ft. (12,589 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project 27287-6

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 4/17, as received by the Department on July 13, 2017.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
4. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
5. No machinery shall enter the water.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
9. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
10. Navigable waterways shall remain open to the public.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

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13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. On July 8, 2013 the DES inspected the site as a result of the flooding of July 2nd and 3rd. DES suggested a project could be designed using rock barbs to realign the flow of Mill Brook which was starting to flank the southerly abutment of bridge.
6. The project was coordinated through the Natural Resource Agency monthly meetings and discussed in on May 17, 2017.
7. The project impacts 160 linear feet of stream and banks.
8. Mitigation is not required per Rule Env-Wt 302.03(c)(2)(c) as the project only involves stabilization to protect existing infrastructure.
9. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and palustrine resources, as identified under RSA 482-A:1.

**2017-02502**

**ASHFORD, JOANNE/WILLIAM**

**ALTON LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 1,072 square feet of bank along 50 linear feet of shoreline to construct a 50 foot x 18 foot perched beach on an average of 240 feet of frontage along Lake Winnepesaukee in Alton.

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**Conservation Commission/Staff Comments:**

8/23/17 The Con. Com. requests the Wetlands Bureau suspend action on this project for forty days to enable an investigation of the property.

9/18/17 Con. Com. has no objections to issuance of this permit.

**APPROVE PERMIT**

Impact 1,072 square feet of bank along 50 linear feet of shoreline to construct a 50 foot x 18 foot perched beach on an average of 240 feet of frontage along Lake Winnepesaukee in Alton.

**With Conditions:**

1. All work shall be in accordance with plans by Diversified Marine Construction dated April 24, 2017, as received by DES on August 21, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 33 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
15. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
16. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
17. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.

With Findings:

- 1 This is a major impact project per Administrative Rule Env-Wt 303.02(o) construction of a beach that utilizes more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

**MINOR IMPACT PROJECT**

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2017-01598

LOON ISLAND ASSOCIATION

**MEREDITH LAKE WINNIPESAUKEE**

Requested Action:

Replace a 3 piling ice-cluster, 3 tie-off piling, five 6 foot x 6 foot cribs supporting a 6 foot x 98. 4 foot bridge, and a 6 foot x 8 foot gazebo, in-kind, and place stones in voids along 190 linear feet of shoreline to stabilize pockets of erosion on 1,043 linear feet of frontage along Lake Winnepesaukee on Loon Island, in Meredith.

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**APPROVE PERMIT**

Replace a 3 piling ice-cluster, 3 tie-off piling, five 6 foot x 6 foot cribs supporting a 6 foot x 98. 4 foot bridge, and a 6 foot x 8 foot gazebo, in-kind, and place stones in voids along 190 linear feet of shoreline to stabilize pockets of erosion on 1,043 linear feet of frontage along Lake Winnepesaukee on Loon Island, in Meredith.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated October 16, 2017, as received by DES on October 20, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of

RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. This permit does not authorize the removal of trees or saplings within the waterfront buffer. NO vegetation shall be removed in association with the approved shoreline stabilization activities.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
9. Only existing rocks that have fallen from the crib structure(s) shall be used for the crib repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
10. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
11. Rocks shall not remain stockpiled on the frontage for longer than 60 days.
12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the DES Wetlands program within 10 days of completing the repairs.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k) projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The subject property is an island owned in total by the applicant and therefore there are no abutting property owners.
6. The applicant has provided evidence in the form of professional testimony that pilings cannot be driven for the support of the existing bridge.

**2017-01601**

**DOLAN MILLER, MARY**

**HANCOCK NUBANUSIT LAKE**

**Requested Action:**

Remove a 5 foot 3 inch x 33 foot 8 inch concrete pier, install a 6 foot x 30 foot seasonal pier, impact 850 square feet along 60 linear feet of shoreline to construct a perched beach on an average of 240 feet of frontage along Nubanusit Lake in Hancock.

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**APPROVE PERMIT**

Remove a 5 foot 3 inch x 33 foot 8 inch concrete pier, install a 6 foot x 30 foot seasonal pier, impact 850 square feet along 60 linear feet of shoreline to construct a perched beach on an average of 240 feet of frontage along Nubanusit Lake in Hancock.

**With Conditions:**

1. All work shall be in accordance with revised plans by Pellettieri Associates, Inc. dated October 9, 2017, and revised cross sections by Pellettieri Associates, Inc. dated September 29, 2017, as received by DES on October 10, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All portions of the concrete pier shall be completely removed prior to the installation of the new seasonal pier.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work

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site has returned to normal clarity.

8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
12. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 1,376).
13. All seasonal structures shall be removed for the non-boating season.
14. Stone placed along the beach front for the purpose of retaining sand or gravel shall be located landward of the shoreline at normal high water, and shall not extend more than 2 feet lakeward of that line at any point.
15. The steps installed for access to the water shall be located completely landward of the normal high water line.
16. No more than 10 cubic yard of beach surfacing material shall be used and all shall be located above the normal high water line.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
19. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k) projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 240 feet of shoreline frontage along Nubanusit Lake.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2017-01927

LYNCH REAL ESTATE HOLDINGS LLC

**LONDONDERRY Unnamed Wetland**

**Requested Action:**

Dredge and fill 3,406 square feet (SF) of forested wetland to develop the site for a 26,608 SF office/manufacturing facility, related parking area, and stormwater management structures.

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**Conservation Commission/Staff Comments:**

Per DHR, no historic properties affected.

7/6/17 Con. Com. recommends denial because the proposed changes would destroy the wetland on the property and the wetland buffer will be compromised with both the parking and stormwater management.

**APPROVE PERMIT**

Dredge and fill 3,406 square feet (SF) of forested wetland to develop the site for a 26,608 SF office/manufacturing facility, related parking area, and stormwater management structures.



With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated June 30, 2017 and revised through 10/18/17 as received by the NH Department of Environmental Services (NHDES) Wetlands Bureau on June 30, 2017.
2. This permit is not valid unless an Alteration of Terrain permit has been issued in accordance with RSA 485-A:17 and Env-Wq 1500.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow and in the dry only.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting at this site. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species must be considered in other areas where spoils may be spread to limit any further establishment.
15. Seed mix within the wetland creation area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The permittee shall submit the receipt for and a list of the contents of the wetland mix to the NHDES within 10 days of application.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
17. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and wetland creation area, including photographs, shall be submitted to the NHDES Wetlands Program within 60 days of the completion of construction. NHDES may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.
18. Subsequent monitoring reports shall be submitted during the first growing season following the completion of work and the second growing season to document the success of the restoration and outline a schedule for remedial actions if necessary. Such reports shall be submitted to NHDES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.
19. Remedial actions may include, but are not limited to replanting, relocation of plantings, removal of invasive species, altering the soil composition or depths, deconsolidation of soils due to compaction, altering the elevation of the wetland surface, or changing the hydraulic regime.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The impacts are necessary to develop the site; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacted wetlands will be converted into a larger wet pond for stormwater comprised of various wetland shrubs and hydrophytic herbaceous vegetation. As a result, there will be a net increase of 6,618 square feet of wetland; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

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areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB17-1778 identifying four (4) vertebrate species in the vicinity of the proposed project: Blanding's Turtle (*Emydoidea blandingii*), Eastern Hognose Snake (*Heterodon platirhinos*), New England Cottontail (*Sylvilagus transitionalis*), and, Smooth Green Snake (*Opheodrys vernalis*).

6. In response to the NHB Letter, NHFG Nongame and Endangered Species Program (NHFG) requested to "avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting at this site and [remove] catch basins with sumps placed at the natural edges of parking lots."

7. The applicant complied with the requests of NHFG. NHFG stated, "Based on a quick site assessment it does not appear to be any habitat for the New England cottontail in the project area. No impacts to the species are expected. As no catch basins with sumps will be located in natural areas and will be placed in paved areas only and the erosion control matting has been changed to SC150 BN, we do not expect impacts to the species listed on the NHB database check."

8. The Londonderry Conservation Commission (LCC) submitted a letter dated June, 28, 2017 stating, in summary, "The LCC reviewed the Dredge and Fill Application and we [LCC] recommend that the application be denied due to the fact that the proposed changes would destroy the wetland on the property, and would occupy the wetland buffer with parking and storm water management."

9. In response to the concerns raised by the LCC, NHDES finds the proposed wet pond for stormwater will be a net increase of wetlands on the site and the vitality and success of the wetland creation area will be monitored pursuant to the conditions of the permit.

2017-02030

#### THE COUNTRY ROAD REVOCABLE TRUST OF 2016

#### NEWBURY SUNAPEE LAKE

##### Requested Action:

Temporarily impact 750 square feet for access and staging of materials, impact 345 square feet along 32 feet of shoreline to construct a 345 square foot perched beach, repair 60 linear feet of stone retaining wall, remove concrete pads, and repair a 35 foot 1 inch x 36 foot crib-supported boathouse with a 4 foot x 14 foot 1 inch "bump out" while reconfiguring the interior slips, and repair a 4 foot 9 inch x 40 foot 3 inch crib pier and access walkways and bridge in-kind on an average of 1,304 feet of frontage along Lake Sunapee in Newbury.

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##### Conservation Commission/Staff Comments:

7/28/17 Per DHR, no adverse effects.

##### APPROVE PERMIT

Temporarily impact 750 square feet for access and staging of materials, impact 345 square feet along 32 feet of shoreline to construct a 345 square foot perched beach, repair 60 linear feet of stone retaining wall, remove concrete pads, and repair a 35 foot 1 inch x 36 foot crib-supported boathouse with a 4 foot x 14 foot 1 inch "bump out" while reconfiguring the interior slips, and repair a 4 foot 9 inch x 40 foot 3 inch crib pier and access walkways and bridge in-kind on an average of 1,304 feet of frontage along Lake Sunapee in Newbury.

##### With Conditions:

1. All work related to the boathouse repairs and modifications shall be in accordance with plans by Watermark Marine Construction dated June 26, 2017, as received by DES on July 12, 2017.
2. All work related to the temporary construction impact, concrete pad removal, and retaining wall repairs shall be in accordance with revised plans by Pellettieri Associates, Inc. dated June 20, 2017, as received by DES on July 12, 2017.
3. All work related to the perched beach construction shall be in accordance with revised plans by Pellettieri Associates, Inc. dated June 20, 2017, as received by DES on July 12, 2017 and revised plans and cross sections dated November 1, 2017, as received by DES on November 2, 2017.
4. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

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5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast.
14. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 1094.15). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
15. The steps installed for access to the water shall be located completely landward of the normal high water line.
16. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
19. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
20. The repairs shall maintain the exterior size, location, and configuration of the pre-existing structures.
21. This permit does not allow dredging for any purpose.
22. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
23. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k) projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The interior modifications of the existing boathouse will reduce the number of slips provide by the structure as well as reducing the enclosed space over public waters used for none boating related activities.

2017-02269

TERRY L HUSSEY REVOCABLE TRUST

ALTON LAKE WINNIPESAUKEE

Requested Action:

Temporarily impact 250 square feet along 25 feet of shoreline in order to replace an existing stone retaining wall with boulders, reset 4 foot wide steps to the water, and replenish an existing 24 foot x 11 foot perched beach on an average of 231 feet of frontage along Lake Winnepesaukee in Roberts Cove, in Alton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

8/2/17 Con. Com. requests action be suspended until they can conduct a site visit and issue comments.

8/16/17 Con. Com. finds no objection to a permit being granted. Please release the hold on this application.

APPROVE PERMIT

Temporarily impact 250 square feet along 25 feet of shoreline in order to replace an existing stone retaining wall with boulders, reset 4 foot wide steps to the water, and replenish an existing 24 foot x 11 foot perched beach on an average of 231 feet of frontage along Lake Winnepesaukee in Roberts Cove, in Alton.

With Conditions:

1. All work shall be in accordance with revised plans by Warner Stone dated October 23, 2017, as received by DES on October 25, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32).
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 5 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
11. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j) repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration..
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02615

NH DEPT OF ENVIRONMENTAL SERVICES

WEARE HORACE LAKE

Requested Action:

Dredge and fill 1,543 square feet (SF) within the bank of Horace Lake (impacting 62 linear feet) for repair and stabilization of the Horace Lake Dam.

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Conservation Commission/Staff Comments:

9-13-17 - No historic properties affected per DHR.

APPROVE PERMIT

Dredge and fill 1,543 square feet (SF) within the bank of Horace Lake (impacting 62 linear feet) for repair and stabilization of the Horace Lake Dam.

With Conditions:

1. All work shall be in accordance with plans by the State of New Hampshire Department of Environmental Services Dam Bureau dated July 20, 2017 last received by the NH Department of Environmental Services (DES) on October 31, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during drawdown or in the dry only.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
7. No machinery shall enter the water.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Erosion control products shall be installed per manufacturers recommended specifications.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
18. Any fill used shall be clean sand, gravel, rock, or other suitable material.
19. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(k), as it proposes to disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Pedestrian traffic over time has caused destabilization of the embankment on the earthen dam.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments of concern were received by DES from abutters or local governing organizations.
6. The project is located within the Designated River corridor of the Piscataquog River. The Local River Advisory Committee (LAC) was notified of the project on August 30, 2017. No comments were received by DES from the LAC.
7. Per NH Administrative Rule Env-Wt 204, the applicant has been granted a waiver to NH Administrative Rules Env-Wt 301.01, Delineation of Wetland Boundaries, and Env-Wt 505.01(o), Application Completeness Requirements for the town

clerk's signature. Noncompliance of these two rules will not cause adverse impact to the environment. Adherence to these two rules would not lead to additional information pertinent to this decision.

8. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-2573) stated that "although there was a NHB record [...] in the vicinity, we do not expect that it will be impacted by the proposed project".

2017-02666

COBURN, ALLEN & MAUREEN

**MEREDITH WINNISQUAM LAKE**

**Requested Action:**

Temporarily impact 90 square feet of bank along 36 linear feet of shoreline to repair 36 linear feet of shoreline and impact 140 square feet of bank along 45 linear feet of shoreline to remove brick and concrete remnants along an average on 132 feet of frontage along Lake Winnisquam in Meredith.

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**APPROVE PERMIT**

Temporarily impact 90 square feet of bank along 36 linear feet of shoreline to repair 36 linear feet of shoreline and impact 140 square feet of bank along 45 linear feet of shoreline to remove brick and concrete remnants along an average on 132 feet of frontage along Lake Winnisquam in Meredith.

**With Conditions:**

1. All work shall be in accordance with revised plans by Ames Associates dated October 13, 2017, as received by DES on October 20, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
13. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k) projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact

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to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

#### MINIMUM IMPACT PROJECT

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2017-01658

LEMAY REAL ESTATE TRUST

#### NEWBURY SUNAPEE LAKE

##### Requested Action:

Install a 10 foot x 20 foot seasonal canopy and seasonal boatlift adjacent to an existing 6 foot x 24 foot seasonal pier on 75 feet of frontage along Lake Sunapee, in Newbury.

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##### APPROVE PERMIT

Install a 10 foot x 20 foot seasonal canopy and seasonal boatlift adjacent to an existing 6 foot x 24 foot seasonal pier on 75 feet of frontage along Lake Sunapee, in Newbury.

##### With Conditions:

1. All work shall be in accordance with plans submitted with the application received by DES on July 27, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 10 ft. from the abutting property line to the east and the imaginary extension of that line into the water as authorized by the owners of the abutting property to the east by letter notarized and dated September 28, 2017.
7. All portions of the structures shall be at least 20 ft. from the abutting property line to the west and the imaginary extension of that line into the water.
8. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
9. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

##### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac) installation of a seasonal boatlift in a legally-existing boat slip.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-01792

34 BOATHOUSE REALTY TRUST

#### MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Install a 7 foot x 4 foot concrete pad in the bank to anchor an existing 6 foot x 40 foot seasonal pier on an average of 207 feet of frontage along Lake Winnepesaukee in Moultonborough.

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Conservation Commission/Staff Comments:

7-11-17 - No historic properties affected per DHR.

APPROVE PERMIT

Install a 7 foot x 4 foot concrete pad in the bank to anchor an existing 6 foot x 40 foot seasonal pier on an average of 207 feet of frontage along Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by William McNair dated October 20, 2017, as received by DES on October 23, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
10. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) modification of a 2 slips seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

EXPEDITED MINIMUM

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2017-02306

ROCKY LEDGE SHORES CONDOMINIUMS

LACONIA LAKE WINNIPESAUKEE

Requested Action:



10/30/2017 to 11/05/2017

Repair 171 linear feet of breakwater, a 5 foot x 52 foot piling pier with seven 2 foot x 20 foot finger piers and a 5 foot x 92 foot piling pier with thirteen 2 foot x 20 foot finger piers a connected by a 6 foot x 129 foot 11 inch wharf access by a 6 foot x 17 foot walkway, 8 tie-off pilings, and 45 linear feet 5 inches of wharf and associated walkways in-kind on an average of 439 feet of frontage along Lake Winnepesaukee, in Laconia.

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#### APPROVE PERMIT

Repair 171 linear feet of breakwater, a 5 foot x 52 foot piling pier with seven 2 foot x 20 foot finger piers and a 5 foot x 92 foot piling pier with thirteen 2 foot x 20 foot finger piers a connected by a 6 foot x 129 foot 11 inch wharf access by a 6 foot x 17 foot walkway, 8 tie-off pilings, and 45 linear feet 5 inches of wharf and associated walkways in-kind on an average of 439 feet of frontage along Lake Winnepesaukee, in Laconia.

#### With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design & Construction Management dated October 10 2017, as received by DES on October 25, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
7. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
8. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
9. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
10. This permit does not allow dredging for any purpose.
11. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates
12. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.

#### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) maintenance, repair, and replacement of existing docking structures, in-kind.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02745

NAZZARO, RICHARD/SUSAN

#### SALEM CAPTAIN POND

#### Requested Action:

Install a 6 foot x 30 foot seasonal pier centered on an average of 86 feet of frontage along Captains Pond in Salem.

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**APPROVE PERMIT**

Install a 6 foot x 30 foot seasonal pier centered on an average of 86 feet of frontage along Captains Pond in Salem.

**With Conditions:**

1. All work shall be in accordance with plans by Susan Nazzaro , as received by DES on October 16, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
7. No portion of the pier shall extend more than 30 feet from the shoreline at full lake.
8. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a 2 slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2017-02751**

**BEDFORD, TOWN OF**

**BEDFORD Unnamed Wetland**

**Requested Action:**

Dredge and fill 2,020 square feet (SF) of previously disturbed palustrine scrub-shrub wetland to shift a road with the purpose of minimizing a substandard curve and improving the visibility and safety of the existing intersection and extend an existing 15-inch diameter culvert by 10 feet to allow a wider road.

\*\*\*\*\*

**APPROVE PERMIT**

Dredge and fill 2,020 square feet (SF) of previously disturbed palustrine scrub-shrub wetland to shift a road with the purpose of minimizing a substandard curve and improving the visibility and safety of the existing intersection and extend an existing 15-inch diameter culvert by 10 feet to allow a wider road.

**With Conditions:**

1. All work shall be in accordance with plans by McFarland Johnson dated August 22, 2017, and revised on October 09, 2017, as received by the NH Department of Environmental Services (DES) on October 09, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations

of the surface water quality standards in RSA 485-A and Env-Wq 1700.

4. Work shall be done during non-flow and in the dry only.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Erosion control products shall be installed per manufacturers recommended specifications.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per NH Administrative Rule Env-Wt 303.04(f) as it involves less than 3,000 square feet of wetlands impacts.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01, as the project will improve sightlines and therefore traffic safety at this intersection.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as it will decrease the amount of impervious surface in the area and excavation will take place in areas previously disturbed by roadway and drainage construction.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a review letter dated August 22, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.
6. A regulatory review of the site by the US Fish and Wildlife Service provided with the application found that while Northern long-eared bats (*Myotis septentrionalis*) are present at the site, there are no critical habitats at this location.

**2017-02880**

**FODASKI, JENNIFER/PHILIP**

**MOULTONBOROUGH LEES POND**

**Requested Action:**

Install a 4 foot x 6 foot concrete anchor pad, install a 6 foot x 30 foot seasonal dock, construct a 850 square foot perched beach with no more than 10 cubic yards of sand and 4 foot access stairs to the water, on an average of 292 feet of shoreline frontage, Lees Pond, Moultonborough.

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**Conservation Commission/Staff Comments:**

10-9-17 - No historic properties affected per DHR.

#### APPROVE PERMIT

Install a 4 foot x 6 foot concrete anchor pad, install a 6 foot x 30 foot seasonal dock, construct a 850 square foot perched beach with no more than 10 cubic yards of sand and 4 foot access stairs to the water, on an average of 292 feet of shoreline frontage, Lees Pond, Moultonborough.

#### With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 14, 2017, as received by DES on September 22, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any subdivision of the property that results in the structure being located on a lot having less than 75 feet of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
13. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 511.75 as per note on approved plan).
14. All seasonal structures shall be removed for the non-boating season.
15. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 511.75 as per note on approved plan). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
16. The steps installed for access to the water shall be located completely landward of the normal high water line.
17. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
18. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
19. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
21. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

#### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

10/30/2017 to 11/05/2017

2017-02955

**MCINTYRE FAMILY REVOCABLE TRUST**

**RYE**

**Requested Action:**

Impact a total of 684 square feet (sq. ft.) within the previously-developed 100-foot tidal buffer zone to include 398 sq. ft. of temporary impact and 286 sq. ft. of permanent impact to replace the existing garage, relocate an existing staircase, repave the existing driveway, and landscaping.

\*\*\*\*\*

**APPROVE PERMIT**

Impact a total of 684 square feet (sq. ft.) within the previously-developed 100-foot tidal buffer zone to include 398 sq. ft. of temporary impact and 286 sq. ft. of permanent impact to replace the existing garage, relocate an existing staircase, repave the existing driveway, and landscaping.

**With Conditions:**

1. All work shall be in accordance with the 'NHDES Permit Plan by Ambit Engineering, Inc. dated August 2017 and revised through 8/31/17 as received by the NH Department of Environmental Services (NHDES) on October 2, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
7. No more than 9.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-02958

**ROBERTS COVE INC**

**ALTON LAKE WINNIPESAUKEE**

Requested Action:

Repair docking and launching facilities within an 85 slip marina on approximately 1,844 feet of frontage along Lake Winnepesaukee, in Robert's Cove, in Alton.

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APPROVE PERMIT

Repair docking and launching facilities within an 85 slip marina on approximately 1,844 feet of frontage along Lake Winnepesaukee, in Robert's Cove, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated August 31, 2017, as received by DES on October 2, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
9. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
10. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance, repair, and replacement of existing docking structures, in-kind.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02990

FILLMORE INDUSTRIES INC

LOUDON

Requested Action:

Dredge and fill 1,216 square feet of forested wetland to install two-18 inch HDPE culvert pipes and associated fill for access road construction for continued gravel mining operations.

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#### APPROVE PERMIT

Dredge and fill 1,216 square feet of forested wetland to install two-18 inch HDPE culvert pipes and associated fill for access road construction for continued gravel mining operations.

#### With Conditions:

1. All work shall be in accordance with plans by Jeffrey L. Green, Land Surveying Services, Wetlands Crossing for Fillmore Industries, Inc., Loudon, NH as received by the Department of Environmental Services (DES) on October 5, 2017.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction. The Owner shall maintain a 50-foot buffer to the Soucook River that remains in a no-cut protected condition.
4. The permittee shall coordinate with NH Fish & Game, Nongame and Endangered Species Program, regarding the need for any additional Blanding's Turtle monitoring in the June 2018 turtle nesting season.
5. Personnel on the job site shall be made aware of the potential to encounter Blanding's turtles may be encountered in uplands as well as in or near vernal pools, wetlands, and slow moving streams. Blanding's turtle is a highly terrestrial turtle and females will travel a mile or more to nesting sites in well drained, sun exposed mineral soils including pits. All personnel at the site should be made aware of the potential to encounter Blanding's especially during turtle nesting season which extends from late May through the beginning of July. If Blanding's are found laying eggs in a work or staging area, please contact Kim Tuttle or Mike Marchand, Wetlands Systems Biologist at 271-3016 for instructions. Please photograph any Blanding's turtles seen during the pit expansion and submit a report including time, date, and specific location to NH Fish & Game as soon as possible.
6. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable.
7. Work shall be done during low flow.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Appropriate erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access to the crossing locations.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Culverts shall be laid at proposed grade and not result in a perched condition.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is necessary for access to gravel on the other side of the wetland.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossing is proposed at the narrowest portion of the wetland shown on the plan received by NHDES on October 5, 2017.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The NH Natural Heritage Bureau NHB Datacheck Results letter indicates that the Brook Floater (*Alasmindonta varicosa*), the Blanding's Turtle (*Emydoidea blandingii*), and the Bridle Shiner (*Notropis bifrenatus*) were identified in the project area per letter dated August 21, 2017. The NH Fish & Game does not expect impacts to the state endangered brook floater mussel as long as a minimum 50-foot buffer to the Soucook River remains in a no-cut protected condition and indicates it is critical that all efforts are taken to keep sediment from entering the river from the pit area to protect this highly imperiled species. NH Fish & Game does not expect impacts to bridle shiner as there will be no impacts to the bed or banks of the Soucook River. The NH Fish & Game recommended conditions and survey requirements for Blanding's turtle have been included in the wetland permit.
7. The Town of Loudon Conservation Commission has reviewed the proposed project and signed the application on October 2, 2017.
8. The plan has been stamped by a NH Certified Wetland Scientist (CWS) and a NH Licensed Land Surveyor.

2017-03058

SWINDELL, ERIC

**NORTHWOOD Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 518 square feet of palustrine forested wetlands to install a 12 inch x 30 foot culvert associated with construction of a driveway to a single family residential house lot on 10.6 acres.

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APPROVE PERMIT

Dredge and fill 518 square feet of palustrine forested wetlands to install a 12 inch x 30 foot culvert associated with construction of a driveway to a single family residential house lot on 10.6 acres.

With Conditions:

1. All work shall be in accordance with plans by Cornerstone Survey Associates, Inc. dated August 2017 as received by the NH Department of Environmental Services (NHDES) on October 13, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done for lot development.
10. No fill shall take place in Atlantic white cedar swamps.



10/30/2017 to 11/05/2017

11. Work shall be done during low flow.
12. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
17. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the wetland impact is necessary to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the driveway crossing is located in the most narrow portion of the wetland.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Northwood Conservation Commission signed the NHDES application waiving its right to intervene, believes that the application and submitted plans accurately represent the proposed project, and has no objection to permitting the proposed work.

2017-03070

SINGH, RAGHBIR

**DOVER Unnamed Wetland**

Requested Action:

Dredge and fill 2,580 square feet (SF) of palustrine forested wetland in order to construct a 20 foot wide paved roadway with two wetland crossings for a 4 lot open-space residential subdivision. All impacts are permanent.

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**APPROVE PERMIT**

Dredge and fill 2,580 square feet (SF) of palustrine forested wetland in order to construct a 20 foot wide paved roadway with two wetland crossings for a 4 lot open-space residential subdivision. All impacts are permanent.

With Conditions:

1. All work shall be in accordance with plans by McEneaney Survey Associates Inc. dated August 10, 2017, and revised through September 15, 2017 as received by the NH Department of Environmental Services (DES) on October 27, 2017.
2. This permit is not valid unless a subdivision approval or other compliance with RSA 485-A:29-44 and New Hampshire Administrative Rule Env-Wq 1000 is achieved.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.

10/30/2017 to 11/05/2017

4. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or septic setback.
6. The deed that accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
8. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
9. The channel at the culvert inlet and outlet must maintain a consistent elevation and not impede the natural hydrologic regime.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Per the approved plan, roadway side slopes at the wetland crossing shall be reduced to 2:1 slopes in order to minimize wetland impact.
12. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
15. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Erosion control products shall be installed per manufacturers recommended specifications.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
22. Any fill used shall be clean sand, gravel, rock, or other suitable material.
23. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
24. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
25. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
26. The permittee shall control invasive plant species such as Purple loosestrife (*Lythrum salicaria*) and Common reed (*Phragmites*) by measures agreed upon by the DES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.
27. The channel at the culvert inlet and outlet must maintain a consistent elevation and not impede the natural hydrologic regime.
28. Proper headwalls shall be constructed within seven days of culvert installation.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of New Hampshire Administrative Rule Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impact area is necessary in order to access buildable upland.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. Wetland crossings have been sited at the two narrowest locations, roadside slopes are designed to be tighter at the location of the crossings (2:1 relative to 3:1 elsewhere), and adequately sized structures will be installed, thereby minimizing

impact.

5. As proposed, the project does not require review and approval by the NHDES Alteration of Terrain Bureau, though measures have been taken to protect from long-term erosion and sedimentation resulting from increased runoff due to the project (i.e., check dams alongside the steeper portion of the roadway and scour protection at either end of each culvert crossing).

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

7. No comments of concern were received by abutters or local governing organizations.

8. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-2911) stated that although there was an NHB hit in the vicinity, impacts are not expected to occur as a result of the project.

#### PERMIT BY NOTIFICATION

\*\*\*\*\*

2017-02573

ROBERTS, KENNETH & MARY

#### MOULTONBOROUGH KANASATKA LAKE

##### Requested Action:

Repair linear 25 feet of retaining wall and 4 ft. wide access stairs in the dry along frontage on Lake Kanasatka in Moultonborough in accordance with plans by Advantage NH Lakes dated August 15, 2017.

\*\*\*\*\*

##### PBN IS COMPLETE

Repair linear 25 feet of retaining wall and 4 ft. wide access stairs in the dry along frontage on Lake Kanasatka in Moultonborough in accordance with plans by Advantage NH Lakes dated August 15, 2017.

##### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), in-kind repair of existing retaining walls in the dry.

2017-02972

FORD, DEBRA  
ENGEL, ANGELA

#### DOVER

##### Requested Action:

Temporarily impact 210 square feet (70 linear feet) for in-kind replacement of collapsing retaining wall within the same footprint.

\*\*\*\*\*

##### PBN IS COMPLETE

Temporarily impact 210 square feet (70 linear feet) for in-kind replacement of collapsing retaining wall within the same footprint.

##### With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(2), the repair or replacement of an existing retaining wall that meets the criteria in Env-Wt 303.04(c).

2. The NH Natural Heritage Bureau (NHB) has record of sensitive species present within the vicinity of the project area, but NHB does not expect impacts to the species by the proposal.

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2017-03076

ROBERTS, JOSEPH

**ENFIELD CRYSTAL LAKE**

**Requested Action:**

This project does not meet the criteria for a Permit by Notification as it proposes to build retaining wall; insert ramp access path to water in retaining wall; expand existing beach on frontage along Crystal Lake in Enfield.

\*\*\*\*\*

**PBN DISQUALIFIED**

This project does not meet the criteria for a Permit by Notification as it proposes to build retaining wall; insert ramp access path to water in retaining wall; expand existing beach on frontage along Crystal Lake in Enfield.

2017-03109

KAREN B COAN TRUST

**WOLFEBORO RUST POND**

**Requested Action:**

Rebuilding in-kind of 30 ft. X 4 ft. X 4 ft. stone retaining wall according to plan drawings received by NHDES on 10/31/2017 on frontage along Rust Pond in Wolfeboro.

\*\*\*\*\*

**PBN IS COMPLETE**

Rebuilding in-kind of 30 ft. X 4 ft. X 4 ft. stone retaining wall according to plan drawings received by NHDES on 10/31/2017 on frontage along Rust Pond in Wolfeboro.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If this wall is to be refaced such additional width shall not exceed 6 inches.

2017-03162

KETTLE COVE LLC

**GILFORD LAKE WINNIPESAUKEE**

**Requested Action:**

Replacement of 2 ice clusters off the west end of the piers and the 16 dock pilings on the 28 ft. 55 ft. 8 in. U-shaped dock according to plan drawings by Winnepesaukee Marine Construction dated 10/18/2017 on frontage along Lake Winnepesaukee in Gilford.

\*\*\*\*\*

**PBN IS COMPLETE**

Replacement of 2 ice clusters off the west end of the piers and the 16 dock pilings on the 28 ft. 55 ft. 8 in. U-shaped dock according to plan drawings by Winnepesaukee Marine Construction dated 10/18/2017 on frontage along Lake Winnepesaukee

10/30/2017 to 11/05/2017

in Gilford.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2017-03187

EVERSOURCE ENERGY

NEWINGTON PISCATAQUA RIVER

Requested Action:

Impact 1,500 square feet (50 linear feet) of previously developed upland tidal buffer zone for the repair of an existing rip-rap rip-rap slope.

\*\*\*\*\*

PBN IS COMPLETE

Impact 1,500 square feet (50 linear feet) of previously developed upland tidal buffer zone for the repair of an existing rip-rap rip-rap slope.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(7), maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x).
2. The NH Natural Heritage Bureau has no record of sensitive species present within the vicinity of the project area.

FORESTRY NOTIFICATION

\*\*\*\*\*

2017-03212

BOOTHY, PATRICE  
ZHANG, AIQIN

FRANCESTOWN Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION

FRANCESTOWN; TAX MAP# 8; LOT(S)# 93, 93-1,93-2

2017-03215

TUTTLE, JAMES/SUSAN

INTERVALE Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION

INTERVALE; TAX MAP# 1TOWNH; LOT# 134-RO2

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**2017-03219 CAMPTON HOLLOW SKI CLUB LAND TRUST**

**CAMPTON Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
CAMPTON; TAX MAP# 10; LOT# 13-2; BLOCK# 6

**2017-03236 SAVOY, DALE & JENNIFER  
SAVOY, DALE & JENNIFER**

**WEARE**

\*\*\*\*\*

COMPLETE NOTIFICATION  
WEARE; TAX MAP# 409; LOT# 161

**2017-03270 MCELROY, GLENN & LAUREL**

**CANAAN Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
CANAAN; TAX MAP# 6; LOT# 9

**2017-03273 NH DIVISION OF FORESTS AND LANDS**

**HOOKSETT Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
HOOKSETT; TAX MAP# 4; LOT# 7

**2017-03276 NH DIVISION OF FORESTS AND LANDS**

**SPRINGFIELD Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
SPRINGFIELD; TAX MAP# 11-563; LOT# 153

**GOLD DREDGE**

\*\*\*\*\*

**2017-03267**

**DECKER, JONATHAN**

**(ALL TOWNS) Unnamed Stream**

\*\*\*\*\*

**LAKES-SEASONAL DOCK NOTIFICATION**

\*\*\*\*\*

**2017-03197**

**PETELLE, PAUL**

**EAST WAKEFIELD BELLEAU LAKE**

Requested Action:

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Belleau Lake in East Wakefield.

\*\*\*\*\*

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Belleau Lake in East Wakefield.

**2017-03243**

**JAMES, DAVID**

**BRIDGEWATER NEWFOUND LAKE**

Requested Action:

This proposal as described by the submitted information does not qualify for a Seasonal dock Notification as the property will not allow for a perpendicular seasonal dock installation without resulting in a navigational hazard to the waters of Whitmore Brook/Newfound Lake or violating the 20 foot setback from abutting properties.

\*\*\*\*\*

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

This proposal as described by the submitted information does not qualify for a Seasonal dock Notification as the property will not allow for a perpendicular seasonal dock installation without resulting in a navigational hazard to the waters of Whitmore Brook/Newfound Lake or violating the 20 foot setback from abutting properties.

2017-03255

WILSON, KENNETH

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Replacement of an abandoned seasonal 6 ft. X 40 ft. pier with a seasonal pier not to exceed 6 ft. X 40 ft. on frontage along Lake Winnepesaukee in Moultonborough.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Replacement of an abandoned seasonal 6 ft. X 40 ft. pier with a seasonal pier not to exceed 6 ft. X 40 ft. on frontage along Lake Winnepesaukee in Moultonborough.

**UTILITY NOTIFICATION**

\*\*\*\*\*

2017-03216

NATIONAL GRID

**WENTWORTH Unnamed Wetland**

\*\*\*\*\*

**SHORELAND PERMIT**

\*\*\*\*\*

2012-02787

LINCOLN, MICHAEL/NANCY

**ALEXANDRIA NEWFOUND LAKE**

Requested Action:

Request permit time extension.

\*\*\*\*\*

Inspection Date: 10/30/2013 by JEFF D BLECHARCZYK

**APPROVE TIME EXTENSION**

Impact 4,795 sq ft in order to raze existing nonconforming structure and rebuild a new structure, replace gravel driveway with permeable pavers, install a retaining wall, and incorporate stormwater features.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated October 3, 2012 and received by the NH Department of Environmental Services (DES) on October 17, 2012.
2. No more than 24.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless



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additional approval is obtained from DES.

3. At least 4,050 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

**2017-01456**

**DANC REALTY TRUST**

**ALTON LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 2,925 square feet (SF) of protected shoreland in order to add a detached 28 ft. x 30 ft. garage and additional driveway area as well as provide a small retaining wall (55 SF) at the base of an existing gravel bank to retain an existing slope. Provide drainage stone (rip/rap) along a portion of slope within the shoreland zone (570 SF). A temporary disturbance of 280 SF to facilitate construction will be required.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 2,925 square feet (SF) of protected shoreland in order to add a detached 28 ft. x 30 ft. garage and additional driveway area as well as provide a small retaining wall (55 SF) at the base of an existing gravel bank to retain an existing slope. Provide drainage stone (rip/rap) along a portion of slope within the shoreland zone (570 SF). A temporary disturbance of 280 SF to facilitate construction will be required.

**With Conditions:**

1. All work shall be in accordance with revised plans by Advantage NH Lakes dated October 4, 2017 and received by the NH Department of Environmental Services (NHDES) on October 12, 2017.

2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

3. No more than 54.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.

9. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.

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10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02427

HENRY, CHICK/SANDRA

**LEBANON MASCOMA LAKE**

**Requested Action:**

Applicant requests an after the fact approval to retain impacts to 8,122 square feet of protected shoreland in order to construct a single-family residence with an enclosed porch, expanded parking area, replacement wastewater disposal system, and walkway.

\*\*\*\*\*

**APPROVE AFTER THE FACT**

Applicant requests an after the fact approval to retain impacts to 8,122 square feet of protected shoreland in order to construct a single-family residence with an enclosed porch, expanded parking area, replacement wastewater disposal system, and walkway.

**With Conditions:**

1. All work shall be in accordance with plans by Pathways Consulting, LLC dated September 27, 2017 and received by the NH Department of Environmental Services (NHDES) on October 5, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
4. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
5. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
6. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
7. Based on the Upper Valley Lake Sunapee Regional Planning Commission's review of this application (correspondence dated October 19, 2017), and in consideration of the fact that there is no existing unaltered area within the woodland buffer, it is recommended that the birch tree on the northeast side of the house is replaced with a comparable-sized tree within the woodland buffer.
8. No native vegetation in an unaltered state currently exists within the Natural Woodland Buffer located between 50 and 150 ft. Therefore, no area is required to be maintained as unaltered area in order to comply with RSA 483-B:9, V, (b), (2).
9. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
10. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
11. No impacts to natural ground cover shall occur within the waterfront buffer.
12. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.
13. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
14. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
15. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
16. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
20. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02801

**DEBRA A REDFIELD REVOCABLE TRUST**

**RINDGE MONOMONAC LAKE**

**Requested Action:**

Impact 8,764 square feet of protected shoreland in order to replace a residential structure, expand driveway, and install new septic system.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 8,764 square feet of protected shoreland in order to replace a residential structure, expand driveway, and install new septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Forest Designs revised through October 17, 2017 and received by the NH Department of Environmental Services (NHDES) on October 17, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system and the configuration of the stormwater management system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least [Click here to enter text.](#) sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
7. No impacts to natural ground cover shall occur within the waterfront buffer.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

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waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

17. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02943

DELUCA, MARISA

#### WINDHAM COBBETT'S POND

##### Requested Action:

Impact 9,500 square feet of protected shoreland in order to construct an addition onto the primary structure, a garage, and pervious driveway.

\*\*\*\*\*

##### APPROVE PERMIT

Impact 9,500 square feet of protected shoreland in order to construct an addition onto the primary structure, a garage, and pervious driveway.

##### With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated September 2017 and received by the NH Department of Environmental Services (NHDES) on October 5, 2017.
2. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 4,402 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within

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Wetlands jurisdiction.

15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02959

DUVALL, LYNDIA/WILLIAM  
PERKINS, KRISTI/LAURENCE

BARRINGTON SWAINS LAKE

Requested Action:

Impact 11,622 square feet (SF) of protected shoreland in order to construct a new house, driveway, septic system, shed and strairway system. This proposal includes a small amount of tree clearing within the 50 feet buffer to the lake.

\*\*\*\*\*

APPROVE PERMIT

Impact 11,622 square feet (SF) of protected shoreland in order to construct a new house, driveway, septic system, shed and strairway system. This proposal includes a small amount of tree clearing within the 50 feet buffer to the lake.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated September 18, 2017 and received by the NH Department of Environmental Services (DES) on October 2, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 9.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 5,197 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

2017-02961

VUMBACK JR, DAVID

PITTSBURG FRANCIS LAKE

Requested Action:

Impact 3,199 square feet of protected shoreland in order to replace existing residential structure, and driveway, and install a stormwater management system and a state approved septic system.

\*\*\*\*\*

10/30/2017 to 11/05/2017

#### APPROVE PERMIT

Impact 3,199 square feet of protected shoreland in order to replace existing residential structure, and driveway, and install a stormwater management system and a state approved septic system.

#### With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design dated September 26, 2017 and received by the NH Department of Environmental Services (NHDES) on October 2, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. No changes in grades or material stockpiling areas have been requested or approved.
4. Orange construction fencing shall be installed at the limits of impact area as noted on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
5. No more than 28% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02965

LAVALLEY, GERALDINE/HAROLD

#### NEWBURY SUNAPEE LAKE

#### Requested Action:

Impact 1,900 square feet (SF) of protected shoreland in order to construct a 28 ft. X 30 ft. garage and a walkway located on the north and east side.

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**APPROVE PERMIT**

Impact 1,900 square feet (SF) of protected shoreland in order to construct a 28 ft. X 30 ft. garage and a walkway located on the north and east side.

**With Conditions:**

1. All work shall be in accordance with plans by Thomas C. Dombroski L.L.S. dated September 25, 2017 and received by the NH Department of Environmental Services (DES) on October 2, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 22.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 6,431 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02968

**THE DOUGLAS J WILLIAMS SR REVOCABLE TRUST OF 1999**

**BRISTOL NEWFOUND LAKE**

**Requested Action:**

Impact 1,638 square feet of protected shoreland in order to replace an existing residential structure and septic tanks, remove walkways, shed, and portion of parking area.

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**APPROVE PERMIT**

Impact 1,638 square feet of protected shoreland in order to replace an existing residential structure and septic tanks, remove walkways, shed, and portion of parking area.

**With Conditions:**

1. All work shall be in accordance with plans by B.A. Barnard Ent., Inc. dated September 2017 and received by the NH Department of Environmental Services (NHDES) on October 3, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 54.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project,

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and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02969

**RICHARD & JANICE HAWES REVOCABLE TRUST**

**ALTON LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 3,191 square feet (SF) of protected shoreland in order to install a new septic tank, remove the existing septic system and install a state approved septic system.

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**APPROVE PERMIT**

Impact 3,191 square feet (SF) of protected shoreland in order to install a new septic tank, remove the existing septic system and install a state approved septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Varney Engineering LLC dated September 25, 2017 and received by the NH Department of Environmental Services (NHDES) on October 3, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,526 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that



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any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02977

CHOE, GERMAINE/MICHAEL

**WOLFEBORO LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 16,674 square feet (SF) of protected shoreland in order to replace nonconforming primary structure, driveway and shed with a new conforming structure. Project includes, replanting within the natural woodland buffer and waterfront buffer to bring into compliance.

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**APPROVE PERMIT**

Impact 16,674 square feet (SF) of protected shoreland in order to replace nonconforming primary structure, driveway and shed with a new conforming structure. Project includes, replanting within the natural woodland buffer and waterfront buffer to bring into compliance.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group dated September 27, 2017 and received by the New Hampshire Department of Environmental Services (NHDES) on October 3, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3964 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02983

LYNCH, JOHN/SORAYA

**WINDHAM COBBETT'S POND**

**Requested Action:**

Impact 1,800 square feet (SF) of protected shoreland in order to remove a drain pipe placed on the abutter's property (Lot #16) and relocate to the applicants property (Lot #14); remove a stone wall and debris from the abutter's lot (Lot #16) and rebuild a new stone wall located within a the Spring Street right-of-way.

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#### APPROVE PERMIT

Impact 1,800 square feet (SF) of protected shoreland in order to remove a drain pipe placed on the abutter's property (Lot #16) and relocate to the applicants property (Lot #14); remove a stone wall and debris from the abutter's lot (Lot #16) and rebuild a new stone wall located within a the Spring Street right-of-way.

#### With Conditions:

1. All work shall be in accordance with revised stamped surveyed plans by Meisner Brem Corporation dated October 4, 2017 and received by the NH Department of Environmental Services (NHDES) on October 4, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. All actions including, excavation and footings, associated with the construction of the retaining wall must be located within the Spring Street right-of-way.
5. Impacts associated with the removal of material and fill placed on Lot 16 during previous construction by the applicant must be restored to its original state.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

#### With Findings:

1. On October 4, 2017 the New Hampshire Department of Environmental Services (NHDES) received a Shoreland Application for the property identified as Windham Tax Map 17-C, Lot 14.
2. The Rockingham Superior Court issued an order on June 26, 2017, for the applicants to remove a 10 inch storm drain pipe, gravel and stone wall, and other debris that was placed onto the abutters property (Lot 14) during the construction of a driveway.
3. The applicant proposes the removal of stones, gravel, debris and a storm drain that was placed on the abutter's property (lot 16) during previous construction.
4. The applicant proposes to relocate the storm drain to its own property (Lot 14).
5. The applicant proposes a stone wall 20 feet long and no more than 4 feet high, located within the Spring Street right-of-way.
6. THE NHDES received comments October 31, 2017 from Meridian Land Services, Inc. dated October 30, 2017, representing the abutters for Lot 16.
7. Meridian Land Services indicated the scale is not correct.

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8. The scale of 1 inch equals 20 feet appears to be correct.
9. Meridian Land Services indicated the presence of wetlands is unknown and no notes were indicated on the plan.
10. A report by Arago Land Consultants, LLC dated November 21, 2016 representing abutters for Lot 16 submitted documentation for an existing drainage swale existing on Lot 14 and 16.
11. Meridian Land Services noted the line type of the ditch is common for wetland delineations.
12. The line indicates an existing ditch as noted on the plan next to the lines. No legend was noted for that type of line on the plan.
13. Meridian Land Services indicated no grading is shown on the plan.
14. Plans show the extent of impact with orange construction fence and grading is to be restored to its original state except for the area to access the applicants lot.
15. Meridian Land Services questions if the ditch will modified to accommodate the flow from the proposed culvert.
16. No impacts to the ditch were proposed.
17. Meridian Land Services noted no rip-rap erosion control calculations were provided for the culvert outlets to verify if the apron sizes depicted are adequate.
18. The applicant's proposal for impervious area coverage for the lot is 12%. A stormwater plan is required for projects that will be 20% or more.
19. Meridian Land Services noted the property line for Lot 16 will be impacted with the proposed retaining wall in its proposed location.
20. Refer to Condition #4. All actions including, excavation and footings, associated with the construction of the retaining wall must be located within the Spring Street right-of-way.
21. Meridian Land Services noted a precast headwall would be better suited for the conditions of the lot.
22. The applicant's stamped plan was submitted by an engineer.
23. Meridian Land Services noted the 250 foot Shoreland jurisdictional line may not be correct due to the scaling issues.
24. The scale appears to be correct.

2017-02993

**THE ALICE J OSSOFF REVOCABLE TRUST**

**NORTHWOOD BOW LAKE**

**Requested Action:**

Impact 6,259 square feet (SF) of protected shoreland in order to reconstruct/renovate one of the existing single family structures on the lot. A new foundation will be added and a driveway will be reduced in size.

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**APPROVE PERMIT**

Impact 6,259 square feet (SF) of protected shoreland in order to reconstruct/renovate one of the existing single family structures on the lot. A new foundation will be added and a driveway will be reduced in size.

**With Conditions:**

1. All work shall be in accordance with plans by Geometres Blue Hills, LLC dated September 18, 2017 and received by the NH Department of Environmental Services (NHDES) on October 5, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03021

HARTMAN, GREGG

**ENFIELD MASCOMA LAKE**

**Requested Action:**

Impact 1,500 square feet of protected shoreland in order to construct a 24 ft. x 32 ft. single story enclosed structure on concrete frost walls and slab, with a 9 ft. x 32 ft. shed roof on piers with slab attached to one side.

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**APPROVE PERMIT**

Impact 1,500 square feet of protected shoreland in order to construct a 24 ft. x 32 ft. single story enclosed structure on concrete frost walls and slab, with a 9 ft. x 32 ft. shed roof on piers with slab attached to one side.

**With Conditions:**

1. All work shall be in accordance with plans by TiMic Drafting and Design dated September 8, 2017 and received by the NH Department of Environmental Services (NHDES) on October 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 10% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.